

REMARKS/ARGUMENTS

1.) Claim Amendments

The Applicants have amended claims 1, 11, 12, 14, 16, 18, and 22. Claims 3, 13, 15, 19, and 20 have been canceled. Accordingly, claims 1, 2, 4-12, 14, 16-18, and 21-23 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Claim Rejections – 35 U.S.C. § 103(a)

In paragraph 8 of the Office Action, the Examiner rejected claims 1-8, 11-12 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Jin, et al. (US 6,917,617) in view of Kent, et al. (RFC 2401 "Security Architecture for the Internet Protocol). The Applicants have amended the claims to better distinguish the claimed invention from Jin and Kent. The Examiner's consideration of the amended claims is respectfully requested.

Claim 1 has been amended to incorporate the limitations of claim 3. Amended claim 1 recites that the edge node processes the received data packet for the identified user according to a protocol stack. The data field specifying the handling of the packet is set according to (1) the quality parameters from the identified user's subscription, and (2) information specified on a layer in the protocol stack of the edge node that is different from a lower layer evaluated by the interior nodes for the handling of the packets. The combination of Jin and RFC 2401 does not teach or suggest a method of providing a defined quality of service that sets the data field specifying the handling of the packet using both of these techniques. Therefore, the allowance of amended claim 1 is respectfully requested.

Claims 2 and 4-10 depend from amended claim 1 and recite further limitations in combination with the novel elements of claim 1. Therefore, the allowance of claims 2 and 4-10 is respectfully requested.

Independent claim 11 has been amended to specifically recite that the edge node is a third generation Serving GPRS Service Node (SGSN) in a packet switched

communication system, as shown in FIG. 2. The SGSN is connectable to user equipment operating in a UMTS Terrestrial Radio Access Network (UTRAN) external to the core network. Neither Jin nor RFC 2401 disclose or suggest a third generation SGSN having the features recited in amended claim 11. Therefore, the allowance of amended claim 11 is respectfully requested.

Claims 12 and 14 depend from amended claim 11 and recite further limitations in combination with the novel elements of claim 11. Therefore, the allowance of claims 12 and 14 is respectfully requested.

Independent claim 18 has been amended with both the amendments to claim 1 and the amendments to claim 11 above. Thus, amended claim 18 recites a program unit on a data carrier or loadable into a third generation SGSN that processes the received data packet for the identified user according to a protocol stack. The data field specifying the handling of the packet is set according to (1) the quality parameters from the identified user's subscription, and (2) information specified on a layer in the protocol stack of the edge node that is different from a lower layer evaluated by the interior nodes for the handling of the packets. The combination of Jin and RFC 2401 does not teach or suggest a program unit in a third generation SGSN that sets the data field specifying the handling of the packet using both of these techniques. Therefore, the allowance of amended claim 18 is respectfully requested.

In paragraph 9 of the Office Action, the Examiner rejected claim 9 under 35 U.S.C. § 103(a) as being unpatentable over Jin in view of Kent and further in view of La Porta, et al. ("Mobile IP and Wide Area Wireless Data"). The Applicants contend that the amendments to base claim 1 distinguish the claimed invention of claim 9 from Jin, Kent and La Porta. Therefore, the allowance of claim 9 is respectfully requested.

In paragraph 10 of the Office Action, the Examiner rejected claims 13-15 under 35 U.S.C. § 103(a) as being unpatentable over Jin in view of Kent and in further view of Mustajarvi, et al. (US 6,661,782). Claims 13 and 15 have been canceled. The Applicants contend that the amendments to base claim 11 distinguish the claimed invention of claim 9 from Jin, Kent and Mustajarvi. Therefore, the allowance of claim 14 is respectfully requested.

In paragraph 11 of the Office Action, the Examiner rejected claims 10, 16, 17 and 21-23 under 35 U.S.C. § 103(a) as being unpatentable over Jin in view of Kent and in further view of DiPlacido, et al. (US 6,092,108). The Applicants contend that the amendments to base claim 1 distinguish the claimed invention of claim 10 from Jin, Kent and DiPlacido. Therefore, the allowance of claim 10 is respectfully requested.

With respect to claims 16, 17, and 21-23, the Applicants respectfully disagree. DiPlacido discloses a method of controlling a buffer level in which specified types of frames are discarded when the buffer level exceeds certain threshold levels. This is completely different from the claimed invention, and does not suggest the claimed limitations of claims 16, 17, and 21-23.

In particular, the processing means in claim 16 includes:

(1) means for determining whether the interior node has sufficient resources to handle a received data packet utilizing a highest quality of service level;

(2) means for forwarding the received data packets utilizing the highest quality of service level without evaluating the unspecified bits in the differentiated services data field, responsive to a determination that the interior node has sufficient resources to handle the received data packet utilizing the highest quality of service level; and

(3) means for evaluating the unspecified bits in the differentiated services data field and forwarding the packets according to the unspecified bits, responsive to a determination that the interior node does not have sufficient resources to handle the received data packet utilizing the highest quality of service level.

The buffer control method of DiPlacido does not teach or suggest the claimed means for selecting a quality of service level and forwarding of data packets. Therefore, the withdrawal of the rejection and the allowance of claim 16 are respectfully requested.

Claim 17 depends from claim 16 and recites further limitations in combination with the novel elements of claim 16. Therefore, the allowance of claim 17 is respectfully requested.

Claims 21-23 also recite elements similar to those in claim 16. The buffer control method of DiPlacido does not teach or suggest the claimed means for selecting a quality of service level and forwarding of data packets as recited in claims 21-23.

Therefore, the withdrawal of the rejection and the allowance of claims 21-23 are respectfully requested.

CONCLUSION

In view of the foregoing remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicants, therefore, respectfully request that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 1, 2, 4-12, 14, 16-18, and 21-23.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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